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*Counsel for Individual and Representative
Plaintiffs and the Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

Individual and Representative Plaintiffs,

v.

Meta Platforms, Inc.,

Defendant.

Case No. 3:23-cv-03417-VC

**DECLARATION OF HOLDEN BENON
IN SUPPORT OF PLAINTIFFS' MOTION
TO COMPEL PRODUCTION OF
COMMUNICATIONS POSTED ON
DISCORD**

I, Holden Benon, declare as follows:

1. I am an associate at the Joseph Saveri Law Firm, LLP (“JSLF”). I am a counsel of record for Plaintiffs in this matter. I submit this Declaration in support of Plaintiffs’ Motion to Compel (“Motion”). I have personal knowledge of the facts set forth in this Declaration. If called as a witness, I could and would testify competently to them. I make this declaration pursuant to 28 U.S.C. section 1746.

2. On June 11, 2024, I participated in a call with counsel for EleutherAI, Aaron Williamson. During that call, I asked Mr. Williamson if EleutherAI has any objection, besides Meta’s claim of privilege, to producing the Discord posts between EleutherAI and Mr. Timothy Dettmers that are the subject of the Motion (“Subject Communications”). Mr. Williamson responded by saying that EleutherAI has no objection to producing the Subject Communications other than Meta’s claim of privilege.

3. On June 28, 2024, I visited the following webpage containing what appears to be a public LinkedIn post by [REDACTED]. The LinkedIn post appears to be public, and, according to the LinkedIn post, it was published two months prior to June 28, 2024. The LinkedIn Post appears to have received 116 “likes” and it has been re-posted 26 times. Copies of the at-issue LinkedIn post are submitted for *in camera* review.

4. On April 29, 2024, counsel for Meta sent Plaintiffs a copy of a privilege log reflecting communications made on the November 2020 single-review tool request, discussed in more detail in the parties’ moving papers (“SRT Privilege Log”). A copy of the SRT Privilege Log is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 28, 2024.

/s/ Holden Benon

Holden Benon